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May 31, 2018

**VIA E-FILING**

Ms. Jocelyn Boyd  
Chief Clerk of the Commission  
101 Executive Center Drive  
Columbia, SC 29210

RE: Proposed Schedule for Pre-Filed Testimony and other matters in  
Docket Nos. 2017-207-E, 2017-305-E, and 2017-370-E

Dear Ms. Boyd:

For the reasons set out in its correspondence of this date (a copy of which is attached), the South Carolina Energy Users Committee supports the proposed schedule submitted by the Office of Regulatory Staff to the Public Service Commission of South Carolina on May 31, 2018.

Sincerely,

ELLIOTT & ELLIOTT, P.A.



Scott Elliott

SE/mlw  
Enclosure

cc: All parties of record. (Via electronic mail)

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RE: Proposed Schedule for Pre-Filed Testimony and other matters in  
 Docket Nos. 2017-207-E, 2017-305-E, and 2017-370-E

Dear Ms. Boyd:

The issues in Docket No. 2017-370-E are for approval of the proposed merger and in the alternative, a prudency determination and rate relief under the abandonment provisions of S.C. Code Section 57-33-280(J). In Docket No. 2017-305-E, the ORS seeks rate relief under S.C. Code Ann. Section 58-27-920. In Docket No. 2017-207-E, FOE seeks rate relief; its abandonment prayer is moot. SCE&G and Dominion clearly have the burden of proof with respect to their request for approval of their merger as well as for SCE&G's request for a prudency determination of its abandonment. Further, SCE&G seeks rate reduction associated with its merger request and alternatively, seeks relief resulting from its abandonment of the construction of the nuclear reactors which will lead to higher rates to ratepayers. The ORS and FOE seek rate relief for ratepayers. These issues are inextricably intertwined. Consequently, SCE&G and Dominion have both the burden of proof and the burden of going forward in the combined dockets. Once SCE&G meets its burden of proof with respect to its request for rate relief, the burdens of proof and going forward shift to ORS and FOE (and other parties) to demonstrate that rates should be reduced.

Moreover, there are pending three motions to compel discovery in the three dockets. FOE has filed two motions to compel responses to three discovery requests. The ORS has filed its motion to compel discovery asserting that its investigation has revealed instances of secret SCE&G communications and raises the specter of crime and fraud (ORS Motion to Compel at page 4). As must now be apparent, the most compelling evidence to be adduced in the three dockets will be documentary evidence much of which is in the exclusive possession of SCE&G. The ORS, FOE and the remaining parties will not be able to prepare meaningful testimony without the benefit of these documents currently being withheld by SCE&G. It would be patently unfair to force these parties to pre-file testimony while the Commission has yet to act on the motions to compel. With all due

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respect, the Commission's failure to act on these motions prior to pre-filing deadlines would constitute a denial of due process.

I would support a pre-filing schedule similar to that proposed by the ORS March 8, 2018. No doubt, SCE&G is prepared to pre-file its testimony immediately. Requiring all other testimony in September allows the Commission time to act on pending motions to compel and for the parties to complete discovery.

Thank you for the opportunity to respond.

Sincerely,

ELLIOTT & ELLIOTT, P.A.



Scott Elliott

SE/lbk

cc: All parties of record. (Via electronic mail)